

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>LASHAWN POOLE,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 07-00676-WS-M</b>
<b>WAL-MART, <i>et al.</i>,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** with prejudice as frivolous pursuant to 28 U.S.C. § 1915 (e)(2)(B)(i).

The Clerk is directed to send to the Commissioner of the Alabama Department of Corrections a copy of the Report and Recommendation the recommending dismissal of this action as frivolous, of this Order adopting the Report and Recommendation, and of the Judgment dismissing this action as frivolous.

**DONE** and **ORDERED** this 7<sup>th</sup> day of May, 2008.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE